

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

BONNIE JONES, on behalf of herself and all others similarly situated,	:	
	:	
	:	CIVIL ACTION
	:	
Plaintiffs,	:	NO. 3:17-cv-00424-RJC-DSC
v.	:	
	:	
CHICAGO BRIDGE & IRON COMPANY	:	
(DELAWARE),	:	
	:	
Defendant.	:	
	:	
	:	
	:	

**JOINT MOTION FOR PRELIMINARY APPROVAL OF
RULE 23 CLASS ACTION AND FLSA COLLECTIVE ACTION SETTLEMENT**

Plaintiff Bonnie Jones (“Plaintiff”) and Chicago Bridge & Iron Company (Delaware), through their undersigned counsel, respectfully move this Court for an Order:

1. Granting preliminary approval of the Parties’ Class Action Settlement Agreement as fair, reasonable, and adequate pursuant to Fed. R. Civ. P. 23(e), and a fair and reasonable resolution of a *bona fide* dispute under the Fair Labor Standards Act (*see* Memorandum in Support of Plaintiff’s Unopposed Motion for Preliminary Approval of Rule 23 Class Action and FLSA Collective Action, Exhibit 1);

2. Preliminarily certifying the following Settlement Class pursuant to Fed. R. Civ. P. 23 and 29 U.S.C. § 216(b) for the purposes of settlement:

Non-exempt employees working a “9/80 plan” in Defendant’s Power Division for the 2 years preceding the filing of the Complaint (July 18, 2015 through July 18, 2017) who were located in Charlotte, North Carolina and Canton, Massachusetts.;

3. Preliminarily approving Plaintiff Bonnie Jones as the Representative of the Settlement Class;

4. Preliminarily approving Gibbons Leis, PLLC and Stephan Zouras, LLP as Class Counsel for the Settlement Class;

5. Approving the Class Action Settlement Notice, which is attached as Exhibit B to the Class Action Settlement Agreement; and

6. Approving the proposed schedule and procedure for the final approval of the Class Action Settlement Agreement.

7. Plaintiff and Defendant file this Motion jointly.

8. Scheduling a Final Fairness and Approval Hearing (“Fairness Hearing”) in accordance with Federal Rule of Civil Procedure 23(f) on or about 90 days from the Court granting this motion.

9. A proposed Order is submitted for the Court’s consideration.

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CERTIFICATE OF SERVICE

This is to certify that on March 24, 2019, the undersigned filed the foregoing using the Court's CM/ECF system which will send notification of such filing to the appropriate CM/ECF participants.

/s/ Philip J. Gibbons, Jr.
Attorney for Plaintiff(s)